IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Special Appeal No. 82 of 2005

Govind Ram S/o Sri Narayan Dut,
R/o Near Harjeet Traders,
Kalyani View, Ravindra Nagar,
Kiccha Bye-Pass Road, Rudrapur,
District Udham Singh Nagar. …… Petitioner / Appellant

Versus

1. General Manager (Service),
   U.P. State Agro Industrial Corporation Ltd.,
   Lucknow, U.P.
2. Regional Engineer,
   Haldwani, District Nainital,
   U.P. State Agro Industrial Corporation Ltd.,
   Branch Rudrapur,
   District Udham Singh Nagar.
3. Advisory Committee,
   State of U.P.
4. Prabhari U.P. State Agro Industrial Corporation Ltd.,
   Centre Rudrapur,
   District Udham Singh Nagar. …….. Respondents

Mr. S.S. Yadav, Advocate for the appellant.
Ms. Beena Pandey, Standing Counsel for the State of U.P.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

P.C. VERMA, J. (Oral)

1. This Special Appeal has been filed by the appellant challenging the judgment dated 02.08.2005 passed by the learned Single Judge in Writ Petition No. 462 of 2005 (S/S). The appellant was the petitioner in the writ petition.

2. We have perused the judgment passed by the learned Single Judge. The learned Single Judge has categorically recorded a finding that the petitioner / appellant was relieved in compliance of the relieving order and had joined in the State of U.P. and on the date of the passing of the order, he stood retired from service. Therefore, the writ petition was dismissed by the learned Single Judge.

3. We have re-appreciated the contention of the learned counsel for the appellant / petitioner. On re-appreciation of the contention of the learned counsel for the appellant / petitioner, we find that the judgment passed by the learned Single Judge is based on correct facts, as it could not be disputed by the learned counsel for the appellant before us.

4. Thus, the Special Appeal fails and is, hereby, dismissed.

(P.C. Verma, J.) **(Rajeev Gupta, C.J.)**
17.02.2006 **17.02.2006**

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